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RUEASWA/DTRA ALEX WASHINGTON DC//OSAE PRIORITY

UNCLAS SECTION 01 OF 03 USOSCE 000137

SENSITIVE
SIPDIS

STATE FOR VCI/CCA, EUR/RPM
NSC FOR NILSSON, HAYDEN
JCS FOR J5 NORWOOD, COL SMITH
OSD FOR ISA (PERENYI)

E.O. 12958: N/A
TAGS: [KCFE](#) [OSCE](#) [PARM](#) [PREL](#)
SUBJECT: CFE/JCG: JUNE 2: RUSSIA ACCUSES WESTERN STATES
OF "GROSSLY VIOLATING" CFE

¶1. (SBU) Summary: At the June 2 JCG plenary, Russia inquired whether delegations wished to comment on the Russian Aide-Memoire, "Restoring the Viability of the CFE Treaty: A Way Forward," distributed to the JCG on May 5. The U.S. noted that the Aide-Memoire was not up for negotiation in the JCG, but would be discussed in the June 3 bilateral meeting. Italy, with support from eight other delegations, criticized Russia for refusing Italy's request for inspection on May 25. Russia responded by accusing NATO Allies of being in "gross violation" of TLE collective ceilings.

¶2. (SBU) The last plenary meeting of this JCG session will be on July 21. The first plenary of the next JCG session will convene on September 8. No JCG plenaries will take place on June 9 (due to the meeting in Berlin) or on June 23 (due to the Annual Security Review Conference). End summary.

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Russia Seeks Reaction to Aide-Memoire; Receives None
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¶3. (SBU) The Joint Consultative Group (JCG) met on June 2 under the Chairmanship of Armenia (Papikyan). Russian Head of Arms Control delegation Ulyanov solicited comments from delegations regarding its Aide-Memoire, "Restoring the Viability of the CFE Treaty: A Way Forward," which contained Russian views on how to restore CFE, distributed to the JCG on May 5. Ulyanov suggested sufficient time had passed for review.

¶4. (SBU) The U.S. (Neighbour) noted appreciation for the Russian paper, and assured Ulyanov that it has been studied very closely; however, the U.S. remains of the view that the contents of the Aide-Memoire are not subject to negotiation at the JCG. Substantive U.S. comments on the Aide-Memoire would be provided to Russia on June 3 in Geneva during the meeting between Assistant Secretary Gottemoeller and Russian MFA Director Antonov.

¶5. (SBU) Belarus (Krayushkin) recalled that it provided views on the Russian Aide-Memoire immediately upon distribution of the document. Krayushkin reminded the JCG that Belarus "completely supported" the basic ideas of the Aide-Memoire and its views had not changed.

¶6. (SBU) Germany (Schweizer) said it was "more or less in line" with the U.S. statement, and noted that the Aide-Memoire was still under review in Berlin. Schweizer recognized that some ideas in the memorandum were not new and were an attempt to respond to the March 28 NAC statement. However, Schweizer noted that this was the first time we had seen these ideas in writing. Germany pointed out that this Russian response "has taken time" and, therefore, asked Russia for its understanding that review of the Aide-Memoire would also require considerable time.

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Allies Criticize Most Recent Russian Noncompliance
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¶7. (SBU) Italy (Negro) criticized Russia for refusal to accept an inspection Italy had planned to begin on May 25. Italy underscored concern that CFE, which "ensures transparency in the OSCE area" could be eroded by only one State Party. Germany, Turkey, France, Romania, Portugal, the U.S., the Czech Republic, and the UK supported the Italian statement. Germany (Schweizer) regretted Russia's denial of the Italian request and stressed that verification was a substantive part of CFE, which all States Parties (except one) continue to carry out. Germany urged Russia to "contribute substantively to confidence" in the OSCE region.

¶8. (SBU) Turkey (Begeg) said Russia's "ongoing suspension continues to be a matter of disappointment." France (Simonet) regretted that Russian actions had "rendered

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inoperable some of the most important CFE provisions." The U.S. (Neighbour) noted the importance for all States Parties to observe all rights and responsibilities under CFE, including raising at the JCG questions related to compliance. Neighbour noted that Russian non-compliance with the Treaty makes resolving the CFE impasse and moving forward on A/CFE "all the more difficult" (JCG.JOUR/696/Annex 2).

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Russia Accuses (Again) Allies of "Gross Violation"
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¶9. (SBU) Russia (Ulyanov) said it would abstain from reiterating its "well-known position" on CFE inspections and instead revisited a heard-before, argument (confusing to most delegates in the room) accusing NATO Allies of exceeding TLE. "Who was in noncompliance," Ulyanov asked? Not Russia for implementing a "legally-based moratorium." Ulyanov questioned how the U.S. and UK delegations, in particular, which regularly call for all States Parties to comply with all CFE provisions, could point the finger at Russia when, he asserted, the "Western group" was in serious violation of exceeding flank limits. (Comment: It was not immediately clear whether Ulyanov meant "Old NATO," or included the newest NATO members when he referred to "Western States in violation." End comment.)

¶10. (SBU) The U.S. (Neighbour) replied that there is no provision for suspension within the CFE Treaty or under applicable customary international law, and therefore, Russia's "suspension" was not in compliance with the Treaty. Russia said it was "well aware of the U.S. legal position," but repeated its question: "Would members of the Western group set aside their gross violation of the Treaty and comply with Treaty limits?"

¶11. (SBU) Turkey (Begeg) stressed that Russia was in noncompliance not the Allies. NATO as such does not have a "legal personality" in the current CFE Treaty. Russia (Ulyanov) disagreed; the Treaty "clearly refers to the Western group." Germany Schweizer said the JCG was no place to discuss "group implementation." This debate already had given rise to Adapted CFE, which provides for national

ceilings instead of group limitations and addresses Russia's concerns. Germany thought it unreasonable to discuss "past rules," and noted the principle of transparency had carried through all the revisions of CFE and was at stake. Schweizer emphasized the importance of CFE information exchanges, which Russia was not carrying out.

¶12. (SBU) Russia (Ulyanov) insisted that CFE was about quantity, not transparency: "we have Vienna Document for that." Ulyanov said there were only two possible ways for Allies to get out of this situation. Either put an end to their "gross violation" by reducing or limiting holdings, or ratify A/CFE. Citing examples, the U.S. (Neighbour) replied that there was a "tremendous amount of headroom" with regard to holdings since all States Parties were below permitted TLE. He said he could not understand how Russia could complain about holdings by the U.S. or the Allies. As for ratification, Neighbour reaffirmed that the current situation made the ability to ratify A/CFE all the more difficult. Georgia (Giorgadze) echoed the U.S. statement and added that Russian presence at the Gudauta military base and on occupied Georgian territory complicated Georgia's ability to ratify A/CFE.

¶13. (SBU) Russia (Ulyanov) stressed that the Russian moratorium was a "consequence" not a cause of the current CFE impasse. Ulyanov believed that some States have sought to use arms control or have "sacrificed it" for political interests which have nothing to do with CFE.

¶14. (SBU) Comment: The U.S. and German delegations believe Ulyanov was complaining that many Eastern Group of States

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Parties countries have joined NATO without Western Group of States Parties numbers being reduced. Russia's accusations were poorly formulated and not placed in the JCG Journal. End comment.

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Duration of Present JCG Session Set
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¶15. (SBU) The Chair (Pipykan) noted no objections to setting the last plenary meeting of the current session for July 21 and the first plenary meeting of the fall session for September 8 (JCG.DEC/1/09). The Chair reminded delegations that next week's plenary was cancelled in light of the June 10 Berlin meeting. He said that in the absence of objections, the June 23 JCG was also cancelled due to the Annual Security Review Conference (June 23-24). The JCG indicative schedule of plenary meetings was re-issued to reflect schedule changes (JCG/INF/37.08/Rev.4).

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Debut of NATO-T
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¶16. (SBU) The first "NATO-T" which replaces the "JCG-T" and the "NATO mini-caucus" met prior to the plenary under U.S. chairmanship. Inter alia, the Netherlands (Kleinjan) provided a readout of the HLTF "Away Day" held at Oberammergau, May 26-28.

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Next Meeting
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¶17. (U) The next JCG Plenary will be on June 16 and chaired by Azerbaijan. The NATO-T, which will continue under U.S. chairmanship for the entire month of June, will take place on June 15.
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